

ORDER OF CONSOLIDATION

The Court, having considered the parties Motions and arguments, hereby rules as follows:

1. *Mo. S. Ct. Rule 66.01(b)* provides:

*When civil actions involving a **common question of law or fact** are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the civil actions; **it may order all the civil actions consolidated**; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.*
(emphasis added)

2. The *Mustedanagic* case has common questions of law and fact with the case:

Christina Hill, in her capacity as Next Friend for the following Minor Plaintiffs: [REDACTED], Plaintiffs v. The Missouri Highways and Transportation Commission s/k/a "The Missouri Department of Transportation" a/k/a "MODOT," Nissan North America, Inc., Continental Automotive Systems, Inc., and Anthony Milton, Sr., Cause No. 1822-CC11782.

3. Both relate to the identical accident, and the Defendants are all the same. The allegations of the Plaintiffs against the Defendants are almost identical.

4. The Court finds that consolidating the cases will conserve judicial resources and will avoid unnecessary costs and delay.

5. Because of the significant delays caused by COVID, the Court believes that it would be more appropriate to consolidate the *Hill* case into the *Mustedanagic* Cause Number, even though the *Mustedanagic* case has a later cause number. The Court finds no prejudice to the *Hill* Plaintiffs in consolidating their case into the *Mustedanagic* case.

7. The Court orders that henceforth, the *Hill* case shall be consolidated into the *Mustedanagic* case, and the parties are directed to file pleadings under the *Mustedanagic* case number, with the pleading caption set forth above.

8. The Clerk is directed to take whatever actions are appropriate to effectuate this Order.

SO ORDERED:

Circuit Court Judge

Date:

9/2/2020

cc: All counsel